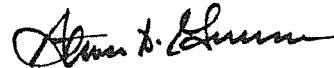


EXHIBIT “A”

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CLERK OF THE COURT

1 COMP

2 DAVID J. CHURCHILL, ESQ. (SBN:7308)
3 JARED B. ANDERSON, ESQ. (SBN: 9747)
4 INJURY LAWYERS OF NEVADA
5 6900 Westcliff Drive, Suite 707
6 Las Vegas, Nevada 89145
7 Telephone: (702) 868-8888
8 Facsimile: (702) 868-8889
9 david@injurylawyersnv.com
10 jared@injurylawyersnv.com
11 Attorneys for Plaintiff

12 DISTRICT COURT

13 CLARK COUNTY, NEVADA

14 MARGARITA HUERTA,

15 Plaintiffs,

16 vs.

17 BODEGA LATINA CORPORATION d/b/a EL
18 SUPER; DOES I-X, and ROE ENTITIES I-X,
19 inclusive,

20 Defendants.

21 CASE NO.: A-17-750960-C
22 DEPT NO.: X

23 COMPLAINT

24 COMES NOW, Plaintiff, MARGARITA HUERTA, by and through her attorneys, JARED B.
25 ANDERSON, ESQ. and DAVID J. CHURCHILL, ESQ., of INJURY LAWYERS OF NEVADA, and
26 for her causes of action against Defendants, and each of them, complains and alleges as follows:

27 I.

28 JURISDICTION

29 1. At all times relevant herein, Plaintiff MARGARITA HUERTA was and is a resident of
30 Clark County, Nevada.

31 2. Upon information and belief, at all times relevant hereto, Defendant BODEGA LATINA
32 CORPORATION was a foreign corporation doing business as "EL SUPER" and was licensed to do
33 business in the State of Nevada.

1 3. All the facts and circumstances that give rise to the subject lawsuit occurred in Clark
2 County, Nevada.

3 4. Defendants and each of them have had sufficient contacts with the State of Nevada so as
4 to confer jurisdiction of this Court over them.

5 5. That the names and capacities, whether individual, corporate, associate, or otherwise, of
6 Defendants DOES I-X and ROE ENTITIES I-X, inclusive, are unknown to Plaintiff at the time of the
7 filing of this Complaint, who, therefore, sues said Defendants by such fictitious names. Plaintiff is
8 informed and believes and thereon alleges that each of the Defendants, including those designated
9 herein as DOE and ROE ENTITIES are legally responsible for the injuries and damages to Plaintiff as
10 herein alleged. At such time that Plaintiff determines the true identities of the DOE and ROE
11 ENTITIES, Plaintiff will seek leave of this Court to amend this Complaint to set forth the proper names
12 of those Defendants as well as asserting appropriate charging allegations.

14 6. At all times mentioned herein, each and every defendant, including DOES I-X and ROE
15 CORPORATIONS I-X, were agents, servants, employees, partners or joint venturers of every other
16 defendant named herein, and were acting within the scope and course of said agency, employment,
17 partnership or joint venture with knowledge and consent of all other named defendants breached their
18 contractual and fiduciary duties to plaintiff.

20 7. Defendants and each of them owned and were charged with controlling, inspecting,
21 maintaining, managing or were otherwise responsible for the condition of the premises located within
22 Defendant EL SUPER.

23 ///

24 ///

25 ///

III.

FACTS COMMON TO ALL CAUSES OF ACTION

8. That at all times relevant hereto the Defendants were and are the owners and occupiers of a grocery store commonly known as EL SUPER.

9. That the Defendants owed a duty to Plaintiff to maintain their premises in a safe condition, including a duty to maintain any and all flooring and/or walkways in a safe condition.

10. That on or about June 2, 2015, Plaintiff was a patron at the subject EL SUPER. At the time of the incident the Plaintiff slipped on a grape that was on the floor which caused her to fall and suffer injuries.

11. That the Defendants failed to use reasonable and ordinary care under the circumstances and caused and/or allowed a foreign substance to be on the floor and caused a dangerous condition to exist in the walkways and/or flooring of the Defendant's premises.

12. That the slippery nature and condition of the flooring constituted a hazardous and unreasonably dangerous condition for patrons.

13. That the Defendants operated a self serve grocery store and delegated to their customers duties which have traditionally been carried out by employees. This mode of operation was performed dangerously and without taking reasonable care to avoid causing hazards to customers such as the foreign substance which caused the plaintiff to fall.

14. That the incident and the injuries to Plaintiff MARGARITA HUERTA were directly and proximately caused by the negligence of Defendants and each of them who failed to maintain the property and/or premises in a reasonably safe condition. As a direct and proximate result, Plaintiff MARGARITA HUERTA suffered personal injuries to her body, some or all of which may be permanent and lasting in nature and which injuries caused pain and suffering to the Plaintiff in an amount in excess of \$15,000.

15. That at all times mentioned herein and prior to the incident referred to herein above, the Defendants and each of them, knew or should have known of the existence of a dangerous condition of the property created by virtue of the lack of maintenance of the premises. The Defendants and each of them failed to take the appropriate measures to ensure the safety of their customers on their property. By virtue of the foregoing negligence of Defendants, which negligence was and is concurrent and simultaneous, Defendants failed to maintain their property and/or premises in a reasonably safe condition as required by law in order to preserve the health, safety and welfare of members of the public, including Plaintiff MARGARITA HUERTA, who was a patron and was lawfully present on the property.

16. As a further direct and proximate result of the foregoing negligence of Defendants and each of them, Plaintiff MARGARITA HUERTA sustained personal injuries and has and may in the future be caused to expend sums of money for medical care and treatment and related expenses which are incidental thereto, the exact amount of which cannot at this time be ascertained or determined, even as much as the same are still accruing. The Plaintiff will request leave of Court to amend the Complaint accordingly to show such damages at or before the time of hearing or trial of this matter.

17. That it has been necessary for Plaintiff to retain the services of an attorney to prosecute this action, and she should be entitled to an award of reasonable attorney's fees and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

1. For general damages in an amount to be proven at the time of trial;
2. For wages lost in an amount to be proven at the time of trial;
3. For special damages in an amount in excess of \$15,000.00;
4. For attorneys' fees and costs of suit incurred herein; and

5. For such other and further relief as this Court may deem just and proper.

Dated this 10th day of February, 2017.

INJURY LAWYERS OF NEVADA

By: JARED B. ANDERSON, ESQ. (SBN: 9747)
6900 Westcliff Drive, Suite 707
Las Vegas, Nevada 89145
Attorneys for Plaintiff

1 **IAFD**

2 DAVID J. CHURCHILL (SBN: 7308)
3 JARED B. ANDERSON (SBN: 9747)
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9 david@injurylawyersnv.com
10 julie@injurylawyersnv.com
11 Attorneys for Plaintiff

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 MARGARITA HUERTA,

CASE NO.:
DEPT NO.:

15 Plaintiffs,

16 vs.

17 **INITIAL APPEARANCE FEE**
DISCLOSURE (NRS CHAPTER 19)

18 BODEGA LATINA CORPORATION d/b/a EL
19 SUPER; DOES I-X, and ROE ENTITIES I-X,
20 inclusive,

21 Defendants.

22 Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for
23 parties appearing in the above-entitled action as indicated below:

24 Plaintiff Margarita Huerta \$270.00

25 TOTAL REMITTED: \$270.00

26 DATED this 10 day of February, 2017.

27 **INJURY LAWYERS OF NEVADA**

28 By: 

29 DAVID J. CHURCHILL, ESQ.
30 JARED B. ANDERSON, ESQ.
31 6900 Westcliff Drive, Suite 707
32 Las Vegas, Nevada 89145
33 Attorneys for Plaintiff

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No.

A - 1 7 - 7 5 0 9 6 0 - C

(Assigned by Clerk's Office)

X

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): MARGARITA HUERTA	Defendant(s) (name/address/phone): BODEGA LATINA CORPORATION DBA EL SUPER DOES 1 through 10; and ROE ENTITIES 1-10
Attorney (name/address/phone): DAVID CHURCHILL, ESQ. / JARED B. ANDERSON, ESQ. / INJURY LAWYERS OF NEVADA 6900 WESTCLIFF DR., SUITE 707 LAS VEGAS, NV 89145 (702)868-8888	Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)

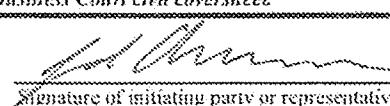
Civil Case Filing Types

Real Property	Torts	
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input checked="" type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant	<input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	Other Civil Filing <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

2/10/17

Date



Signature of initiating party or representative

See other side for family-related case filings.